

JASON D. GUINASSO, ESQ.  
HUTCHISON & STEFFEN, PLLC  
SBN# 8478  
500 Damonte Ranch Parkway, Suite 980  
Reno, Nevada 89521  
Telephone: (775) 853-8746  
Facsimile: (775) 201-9611  
[jguinasso@hutchlegal.com](mailto:jguinasso@hutchlegal.com)  
*Attorney for Plaintiff*

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

MICHAEL ERWINE, an individual  
Plaintiff,

vs.

CHURCHILL COUNTY, a political  
subdivision of the State of Nevada; and  
DOES 1 through 10 inclusive.

Defendants.

CASE NO.: 3:18-cv-00461-RCJ-WGC

**STIPULATED DISCOVERY PLAN AND  
SCHEDULING ORDER**

**(SUBMITTED IN COMPLIANCE WITH  
LR 26-1(B))**

Plaintiff MICHAEL ERWINE (“Plaintiff”), and Defendant CHURCHILL COUNTY, a political subdivision of the State of Nevada, (“Defendant”) by and through their respective attorneys of record, hereby submit this Stipulated Discovery Plan and Scheduling Order pursuant to Federal Rule of Civil Procedure 26(f) and Local Rule 26-1(b).

**1. Fed. R. Civ. P. 26(a) Initial Disclosures:**

Pursuant to Federal Rule of Civil Procedure 26(f) and Local Rule of Court 26-1(d), on Wednesday, December 5, 2018, Jason Guinasso, Esq. counsel for Plaintiff, and Katherine F. Parks, Esq., counsel for Defendant, conducted a meeting to discuss the relevant issues for discovery, possible early resolution of the matter, and other pertinent issues. Pursuant to these discussions, the parties

1 agree that they will submit their initial disclosures on or before *Wednesday, December 19, 2018*.

2 **2. Discovery Cut-Off Date:**

3 Discovery will take not more than one hundred eighty (180) days from November 15, 2018,  
4 which is the date of Defendant's Answer to Complaint (ECF No. 9). Accordingly, all discovery must  
5 be completed no later than *Tuesday, May 14, 2019*.

6 **3. Amending the Pleadings and Adding Parties:**

7 The date for filing motions to amend the pleadings or to add parties shall not be later than  
8 ninety (90) days prior to the discovery cut-off date and, therefore, not later than *Wednesday, February*  
9 *19, 2019*.

10 **4. Fed. R. Civ. P. 26(a)(2) Disclosures (Experts):**

11 In accordance with Rule 26(a)(2), initial disclosures identifying experts shall be made sixty  
12 (60) days prior to the discovery cut-off date, and therefore, not later than *Friday, March 15, 2019*, and  
13 disclosures identifying rebuttal experts shall be made thirty (30) days after the initial disclosure of  
14 experts and, therefore, not later than *Monday, April 15, 2019*<sup>1</sup>.

15 **5. Dispositive Motions:**

16 The parties shall file dispositive motions not more than (30) days after the discovery cut-off  
17 date and, therefore, not later than *Thursday, June 13, 2019*.

18 **6. Pretrial Order:**

19 If no dispositive motions are filed, and unless otherwise ordered by this Court, the Joint Pretrial  
20 Order shall be filed not more than thirty (30) days after the date set for filing dispositive motions and,  
21 therefore, not later than *Monday, July 15, 2019*<sup>2</sup>.

22 **7. Fed. R. Civ. P. 26(a)(3) Disclosures:**

23 If no dispositive motions are filed, and unless otherwise ordered by this Court, the parties shall  
24 file the disclosures required by Fed. R. Civ. P. 26(a)(3) and any objections thereto with the Pretrial  
25 Order pursuant to LR 26-1(e)(6) in the Joint Pretrial Order, not more than thirty (30) days after the

26 <sup>1</sup> With respect to the rebuttal expert disclosure deadline, the deadline falls on Sunday April 14, 2018. As a result, the  
27 rebuttal expert disclosure deadline extends to the next Court day of Monday, April 15, 2019, by operation of FRCP 6.

28 <sup>2</sup> With respect to the Joint Pretrial Order deadline, the deadline falls on Saturday, July 13, 2019. As a result, the Pretrial  
Order deadline extends to the next Court day of Monday, July 15, 2019, by operation of FRCP 6.

1 date set for filing dispositive motions and, therefore, not later than *Monday, July 15, 2019*<sup>3</sup>.

2 **8. Interim Status Report:**

3 In accordance with Local Rule 26-3, an Interim Status Report will be filed by the parties with  
4 the Court sixty (60) days prior to the discovery cut-off date, and therefore, not later than, *Friday,*  
5 *March 15, 2019.*

6 **9. Alternative Dispute Resolution:**

7 The parties certify they have met and conferred about the possibility of using alternative  
8 dispute-resolution processes including mediation, arbitration and early neutral evaluation.

9 **10. Alternative Forms of Case Disposition:**

10 The parties certify they considered consent to trial by a magistrate judge under 28 U.S.C. §  
11 636(c) and Fed.R.Civ.P. 73 and the use of the Short Trial Program (General Order 2013-01).

12 **11. Electronic Evidence:**

13 The parties certify they have discussed whether they intend to present evidence in electronic  
14 format to jurors for the purposes of jury deliberations. Discussions between the parties will be ongoing  
15 as the trial date approaches and any electronic evidence will be presented in a format compatible with  
16 the Court's electronic jury evidence display system.

17 ///

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

---

26  
27 <sup>3</sup> With respect to the Fed. R. Civ. P. 26(a)(3) Disclosures deadline, the deadline falls on Saturday, July 13, 2019. As a  
28 result, the Fed. R. Civ. P. 26(a)(3) Disclosures deadline extends to the next Court day of Monday, July 15, 2019, by  
operation of FRCP 6.

**12. Extensions or Modifications of the Discovery Plan and Scheduling Order:**

In accordance with Local Rule 26-4, a stipulation or motion for modification or extension of this discovery plan and scheduling order must be made no later than twenty-one (21) days before the expiration of the subject deadline.

Dated: December 6, 2018.

Dated: December 6, 2018.

Respectfully submitted,

Respectfully submitted,

/s/ Jason D. Guinasso, Esq.

/s/ Katherine F. Parks

**HUTCHISON & STEFFEN, PLLC**

**THORNDAL ARMSTRONG DELK**

Jason D. Guinasso, Esq.

**BALKENBUSH & EISINGER**

State Bar No. 8478

Katherin F. Parks, Esq.

500 Damonte Ranch Parkway, Suite 980

State Bar No. 6227

Reno, NV 89521

6590 S. McCarran Blvd., Suite B

T: (775) 853-8746

Reno, Nevada 89509

F: (775) 201-9611

T: (775) 786-2882

[jguinasso@hutchlegal.com](mailto:jguinasso@hutchlegal.com)

F: (775) 786-8004

Attorney for Plaintiff Michael Erwine

[kfp@thorndal.com](mailto:kfp@thorndal.com)

Attorneys for Defendant

**IT IS SO ORDERED.**

Dated this 10th day of December, 2018.

William G. Cobb

UNITED STATES MAGISTRATE JUDGE